

The Gazette



of India

EXTRAORDINARY

PART II—Section 1

PUBLISHED BY AUTHORITY

No. 18] NEW DELHI, SATURDAY, MAY 16, 1964/VAISAKHA 26, 1886

Separate paging is given to this Part in order that it may be filed
as a separate compilation

MINISTRY OF LAW

(Legislative Department)

New Delhi, the 16th May, 1964/Vaisakha 26, 1886 (Saka)

The following Acts of Parliament received the assent of the President on the 16th May, 1964, and are hereby published for general information:—

THE GOA, DAMAN AND DIU JUDICIAL
COMMISSIONER'S COURT (DECLARATION
AS HIGH COURT) ACT, 1964

No. 16 OF 1964

[16th May, 1964]

An Act to declare the Judicial Commissioner's Court for Goa, Daman and Diu to be a High Court for certain purposes of the Constitution.

BE it enacted by Parliament in the Fifteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Goa, Daman and Diu Judicial Commissioner's Court (Declaration as High Court) Act, 1964. Short title and commencement.

(2) It shall be deemed to have come into force on the date of commencement of the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation, 1963. ment.

10 of 1963.

2. In this Act, "article" means an article of the Constitution. Definition.

3. The Court of the Judicial Commissioner for the Union territory of Goa, Daman and Diu (hereinafter referred to as the Judicial Com- Declara- tion of Goa, Daman

(191)

and Diu
Judicial
Commis-
sioner's
Court as
High Court
for
certain
purposes.

missioner's Court) is hereby declared to be a High Court for the purposes of articles 132, 133 and 134.

Appeals
to the
Supreme
Court not
to be
barred on
account of
judgment,
etc., being
of a single
Judge.

4. An appeal shall lie to the Supreme Court under the provisions of article 133 from any judgment, decree or final order of the Judicial Commissioner's Court notwithstanding that such judgment, decree or final order is that of a single Judge.

Appeals
to Sup-
reme Court
from
judgment,
decree,
etc., passed
or made
by Judi-
cial Com-
missioner's
Court.

5. Subject to any rules made under article 145 or any other law as to the time within which appeals to the Supreme Court are to be entered, an appeal shall lie to that Court from a judgment, decree or final order of the Judicial Commissioner's Court, under the provisions of article 132 or article 133, or from a judgment, final order or sentence of such Court under the provisions of article 134:

Provided that an appeal may be preferred within ninety days from the date of passing of this Act from a judgment, decree, final order or sentence passed or made by the Judicial Commissioner's Court before that date.

Exceptions
and modi-
fications
subject to
which the
provisions
of Chapter
V of Part
VI of the
Constitu-
tion apply
to the
Judicial
Commis-
sioner's
Court.

6. The provisions of Chapter V of Part VI of the Constitution shall in their application to the Judicial Commissioner's Court have effect subject to the following exceptions and modifications, name-ly:—

(a) the provisions of articles 216, 217, 218, 220, 221, 222, 223, 224, 224A, 225, 230 and 231 shall not apply;

(b) references—

(i) in article 219, in the proviso to clause (3) of article 227 and in article 229 to the Governor shall be construed as references to the administrator of the Union territory of Goa, Daman and Diu;

(ii) in articles 219 and 229 to the State (except in the expression "the State Public Service Commission") shall be construed as references to the Union territory of Goa, Daman and Diu;

(c) the reference to the State Public Service Commission in the proviso to clause (1) of article 229 shall be construed as a reference to the Union Public Service Commission

7. Any person aggrieved—

(a) by any judgment, decree, order or sentence of the Tribunal de Relacao passed or made before the 20th December, 1961, against which an appeal would lie to a superior court in Portugal in accordance with law but could not be preferred by reason of Goa, Daman and Diu becoming part of the territory of India or against which an appeal having been preferred to a superior court in Portugal in accordance with law had not been disposed of before the said date; or

(b) by any judgment, decree, order or sentence of the Tribunal de Relacao passed or made on or after the 20th December, 1961,

Appeals to lie to the Supreme Court from judgment, decree, etc., passed or made by Tribunal de Relacao

may, within ninety days from the date of passing of this Act, prefer an appeal from such judgment, decree, order or sentence to the Supreme Court as if such judgment, decree, order or sentence had been passed or made by the Judicial Commissioner's Court.

8. Section 7 of the Goa, Daman and Diu (Administration) Act, 1962, is hereby repealed.

Repeal of section 7 of Act 1 of 1962.

THE INDIAN COINAGE (AMENDMENT) ACT, 1964

No 17 of 1964

[16th May, 1964]

An Act further to amend the Indian Coinage Act, 1906.

Enacted by Parliament in the Fifteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Indian Coinage (Amendment) Act, 1964.

Short title and commencement.

(2) It shall come into force on the 1st day of June, 1964.

Amend-
ment of
section 13.

2. In section 13 of the Indian Coinage Act, 1906 (hereinafter referred to as the principal Act), after sub-section (3), the following sub-section shall be inserted, namely:—

3 of 1906

“(4) All new coins in the *naya paisa* series, designated as such under the notification of the Government of India in the Ministry of Finance, Department of Economic Affairs, No. S.R.O. 1120, dated 11th May, 1956 which may have been issued under this Act prior to the commencement of the Indian Coinage (Amendment) Act, 1964, shall continue to be a legal tender in payment or on account,—

(a) in the case of a half-rupee or fifty *naye paise* coin, for any sum not exceeding ten rupees;

(b) in the case of any other coin, for any sum not exceeding one rupee”

Amend-
ment of
section
14.

3. In section 14 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) As from the commencement of the Indian Coinage (Amendment) Act, 1964, all references in any enactment or in any notification, rule or order under any enactment or in any contract, deed or other instrument to any value in *naya paisa* or *naye paise* shall be construed as references to that value expressed respectively in *paisa* or *paise*, being the new coins designated as such from 1st day of June, 1964.”

R. C. S. SARKAR,

Secy. to the Govt. of India.

ERRATA

In the Finance (No. 2) Act, 1962 (20 of 1962) as published in the Gazette of India, Extraordinary, 1962, Part II--Section 1, dated June 22, 1962—

Page 135--

1. In line 4 of clause (f) inserted by clause (i) of section 8, for “(Comula-” read “(Cumula-”.

2. In the last line of the proviso added by section 9, for “has been” read “had been”.

Page 136—

In line 2 of clause (b) (i) of section 114 substituted by section 11, for “not capital” read “net capital”.

Page 162—

In column 2, line 1, against item 28(36),

for “liquified” read “liquefied”.

In the Employees' Provident Funds (Amendment) Act, 1963 (28 of 1963) as published in the Gazette of India, Extraordinary, 1963, Part II—Section 1, dated September 7 1963:—

Page 304—

In line 6 of sub-section (3) of section 8A inserted by section 8, for “of charges” read “or charges”.

In the Administrators-General Act, 1963 (45 of 1963) as published in the Gazette of India Extraordinary, 1963, Part II—Section 1, dated December 11, 1963—

Page 488—

In line 1, for “(iii)” read “(ii)”.

Page 482—

In line 8 of section 58, for “came” read “case”.

In the Specific Relief Act, 1963 (47 of 1963) as published in the Gazette of India, Extraordinary, 1963, Part II—Section 1, dated December 16, 1963—

Page 509—

In line 2 of proviso to sub-section (2) of section 40, for “proceeding” read “proceedings”.

